

eralty, such compensation shall be assessed separately, according to such ownership; provided that when the title to any such property is in dispute between two or more owners, or there are adverse or conflicting claims thereto, it shall be sufficient to have the award of damages paid into the Court where such condemnation proceedings are pending, to await the determination of such dispute, and then paid to the rightful owner or owners thereof; and said Court shall have jurisdiction to determine all such adverse and conflicting claims to said property and said award of damages; and provided further, that no delay after such payment in determining the rightful ownership thereof, nor any appeal from the finding and assessment of damages by the Commissioners appointed for that purpose, shall have the effect of causing the suspension of work by the District in connection with which such property is sought to be condemned or acquired.

Sec. 4. In any case where property has been condemned or sought to be condemned and any person or persons owning an interest or interests in such property has been omitted from such proceedings, or has failed to receive a notice of such condemnation proceedings as provided by Law, such omission or failure shall not invalidate the proceedings or judgment of condemnation as to any person or persons who is a party to such proceedings and who has received proper legal notice thereof and such property and the interest therein of such person or persons so omitted or so failing to receive such notice may be condemned in any subsequent proceedings therefor.

Sec. 5. When any such District is sued for any property occupied by it or taken by it for any of its purposes, or for damages thereto, the Court in which such suit is pending may determine all matters in dispute between the parties, including the condemnation of the property, upon petition or cross-bill asking such remedy by the defendant.

Sec. 6. This Act is cumulative of all other laws upon the same subject.

Sec. 7. The fact that the Stat-

utes of the State of Texas do not make any adequate provision whereby Water Improvement Districts are authorized to condemn materials for construction purposes, and the fact that said Statutes fail to provide for a disposition of the damages awarded in condemnation when the titles to such lands are in dispute, create an emergency, and an imperative public necessity which justifies the suspension of the Constitutional Rule requiring bills to be read on three several days in each house, and the Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enactde.

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,
March 8, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Love.	Wirtz.

Prayer by the Rev. Dr. K. P. Barton of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senators Neal and Beck:

S. B. No. 67, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Cousins, Thomason, Patton and Woodul:

S. B. No. 68, A bill to be entitled "An Act validating and legalizing the authorization of bonds issued by or on behalf of any county, city, district, or political subdivision of this State for the construction of seawalls; validating the levy and assessment of ad valorem taxes in payment thereof; validating the manner of holding the election, canvassing the returns and declaring the result of such election; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Witt:

S. B. No. 69, A bill to be entitled "An Act to amend Section 40 of Chapter 61 of the General Laws passed by the Forty-first Legislature at its Second Called Session which convened June 3, 1929, so as to give borrowers full credit for all payments and to preserve the contract time for repayment and to add a new section to be known as Section 47a, authorizing the Banking Commissioner of Texas to regulate withdrawals, and fixing venue in certain suits, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Cunningham:

S. B. No. 70, A bill to be entitled "An Act to amend Section 10-A of Chapter 88 General Laws passed by the Third Called Session of the Forty-first Legislature, so as to change the law with reference to population of any city or town or village in which a deputy tax collector may be

appointed to register motor vehicles; and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Holbrook, on motion of Senator Stevenson.

Senator McFarlane, on motion of Senator Greer.

Senators Wirtz, Russek, Pollard, Hyer and Cousins, on motion of Senator Moore.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives.

Austin, Texas, March 8, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to House Bill No. 2 and requests the Senate for the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Sanders, Hogg, Wallace, Morse, Mauritz.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives.

Austin, Texas, March 8, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 19, A bill to be entitled "An Act amending Article 7060 of the Revised Civil Statutes of 1925, so as to increase the gross receipts taxes upon those engaged in owning, operating, managing or controlling any gas, electric light, electric power or waterworks, or water and light plant, within this State and charging for gas, electric lights, electric power or water, and levying said tax with

out regard to the population of the town or city in which same is operated, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.
Hall of the House of Representatives.
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 12, A bill to be entitled "An Act amending Articles 7084, 7085, 7089, and repealing Articles 1538i, 7088 and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.
Hall of the House of Representatives.
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 54, A bill to be entitled "An Act amending Articles 5738 and 5742 of the Revised Civil Statutes of 1925, as amended by Senate bill No. 84, Acts of the Fourth Called Session of the Forty-first Legislature, filed in the office of the Secretary of State February 17, 1930, relating to co-operative marketing associations, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives

House Bill Referred.

H. B. No. 54, referred to Committee on Agricultural Affairs.

Free Conference Granted.

On motion of Senator Miller, the Senate voted to grant the request of the House for a Free Conference Committee on H. B. No. 2.

The Chair appointed the following on the part of the Senate.

Senators HOLBROOK,
MILLER,
HYER,
PARR,
THOMASON.

S. C. R. No. 6.

Senator Neal sent up the following resolution:

Whereas, during the first Called Session of the 41st Legislature, S. C. R. No. 6, providing for the adoption of "Texas, Our Texas," as the State Song was passed by the House and Senate, and

Whereas, the cash prize of \$1000.00 offered by the State Song Legislative Committee has not been paid to the authors, Mr. Wm. J. Marsh and Mrs. Gladys Yoakum Wright, and

Whereas, it is now the desire of the Legislative Committee for the State Song and the authors to have this matter closed, and

Whereas, it is the desire of the authors to deliver to the State of Texas the copyright to the song,

Now, Therefore, Be It Resolved by the Senate, the House of Representatives concurring, that a joint session of the House and Senate be held on Tuesday, March 11, at 11 o'clock for the purpose of presenting this prize to Mr. Marsh and Mrs. Wright and they in turn delivering at that time the copyright to the State of Texas.

NEAL,
GREER,
McFARLANE,

Read and adopted.

Senate Bill No. 28.

The question recurred upon the motion to indefinitely postpone the further consideration of S. B. No. 28.

The motion was lost by the following vote:

Yeas—5.

Hardin.	Moore.
Martin.	Parrish.
Miller.	

Nays—12.

Beck.	Patton.
Berkeley.	Small.
DeBerry.	Westbrook.
Hornaby.	Williamson.
Love.	Witt.
Neal.	Woodul.

Present—Not Voting.

Stevenson.

Absent.

Cunningham.	Thomason
Gainer.	

Absent—Excused.

Cousins.	Hyer.
Holbrook.	Pollard.

(Pairs Recorded)

Senator Greer (present) who would vote nay, with Senator Wirtz (absent) who would vote yea.

Senator Parr (present) who would vote yea, with Senator McFarlane (absent) who would vote nay.

Senator Woodward (present) who would vote nay, with Senator Russek (absent) who would vote yea.

Senator Love moved the previous question on the final passage of the bill.

The motion prevailed.

Senator Stevenson moved to postpone the further consideration of the bill until Monday.

Senator DeBerry raised the point of order that the motion could not be made under the previous question.

The Chair sustained the point of order.

Senator Miller moved to reconsider the vote by which the previous question was ordered.

The motion was lost.

The bill finally passed by the following vote:

Yeas—15.

Beck.	Small.
Berkeley.	Stevenson.
DeBerry.	Thomason.
Gainer.	Westbrook.
Hornsby.	Williamson.
Love.	Witt.
Neal.	Woodul.
Patton.	

Nays—6.

Cunningham.	Miller.
Hardin.	Moore.
Martin.	Parrish.

Absent—Excused.

Cousins.	Hyer.
Holbrook.	Pollard.

(Pairs Recorded)

Senator Greer (present) who would vote yea, with Senator Wirtz (absent) who would vote nay.

Senator Parr (present) who would vote nay, with Senator McFarlane (absent) who would vote yea.

Senator Woodward (present) who

would vote yea, with Senator Russek (absent) who would vote nay.

Senate Bill No. 22.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 22, A bill to be entitled "An Act amending Title 88 of the Revised Civil Statutes of Texas, 1925, by adding thereto an article to be known as Article 5432-A, defining libel as applied to statements made over and through a radio broadcasting station, providing a penalty, defining radio broadcasting station and declaring an emergency."

Read second time.

On motion of Senator Williamson the bill was laid on the table subject to call.

Message From the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Office.

Austin, Texas, March 8, 1930.

To The Forty-first Legislature:

At the request of members of the Legislature the following subjects are submitted for your consideration:

(1) The amendment of Chapter 61 of the General Laws passed at the second called session of the Forty-first Legislature to correct defects therein, which were made evident by a recent opinion of the Court of Civil Appeals.

(2) The enactment of the necessary road laws for various counties.

(3) The amendment of Chapter 64, Acts of the Regular Session of the Forty-first Legislature, and Chapter 88 of the Acts of the First Called Session of the Forty-first Legislature, to correct defects therein.

(4) The validation of attempts of the City of Lubbock to extend its corporate limits.

(5) The enactment of necessary statutes to make possible the leasing of parks owned by the State for the development of oil resources.

(6) The amendment of Article 4644-a to allow cities and towns to close streets and alleys for the construction of public improvements by the payment of damages to injured abutting property owners.

(7) Bill affecting the public school system.

(8) Operation of motor vehicles and the manner of paying taxes and license fees thereon, and to include a correction of an error made in the amendment of these laws passed at the last Special Session of the Legislature.

Respectfully submitted,
DAN MOODY, Governor.

Senate Bill No. 27.

Senator Love called up from the table the following bill:

By Senator Love, Williamson:

S. B. No. 27, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of 1925 as amended by Chapter 153 of the General and Special Laws of the Forty-first Legislature at its Regular Session, amending Article 6221, Revised Civil Statutes of 1925 as amended by Chapter 5 of the General Laws, Second Called Session of the Forty-first Legislature, and amending Article 6215, Revised Civil Statutes of 1925, as amended by Chapter 307, General and Special Laws of the Regular Session, Forty-first Legislature; amending Article 6204 as amended and amending Articles 6208 and 6226, Revised Statutes, 1925; repealing Article 6214 as amended and Article 6216, Revised Statutes, 1925; providing more adequately for pensions provided for in said articles and to provide for a more equitable distribution of the pension fund; providing for temporary advancements out of the general revenue fund to the pension fund; making an appropriation for such advancement out of the general revenue fund; and declaring an emergency."

The committee report was adopted.

The bill was read second time.

Senator Love sent up the following amendment:

Amend S. B. No. 27 by striking out Section 2 in the bill, and inserting the following in lieu thereof:

Section 2. Article 6221 of the Revised Civil Statutes of 1925 as amended by Chapter 5 of the General Laws of the Second Called Session of the Forty-first Legislature is hereby amended so as to read as follows:

Article 6221 (a) On the first

day of September and on the first day of March of each year the Comptroller shall first allot to each married veteran who has lived continuously with his wife since January 1, 1900 and who is now drawing a pension or whose application may hereafter be approved, such wife being alive at the time of the taking effect of this law, the sum of Fifty (\$50.00) Dollars per month for each year for as long as they both may live, and after the death of either party, then the said veteran or his widow still living shall only draw an amount equal to other veterans or their widows. To each veteran now unmarried or a widower or a widow who is drawing a pension or whose application may be hereafter approved shall be paid the sum of Twenty-five (\$25.00) per month for each year and the remainder of said pension fund after reimbursing the general revenue fund for any advancement theretofore made to the pension fund, shall be equally pro-rated among all of said pensioners in indigent circumstances and whose claims to pensions have been established and filed; and the Comptroller shall issue his warrants for the amounts due said pensioners in the manner provided by law on the first day of each month. All such pensions shall begin on the first day of the month following which the application is approved. If the pension fund is insufficient to pay Fifty (\$50.00) Dollars per month, and Twenty-five (\$25.00) Dollars per month, respectively, to each pensioner in the respective classes hereinbefore mentioned, a sufficient amount shall be advanced by the State Treasurer out of the general revenues of the State in the State Treasury other than revenues derived from property taxes for that purpose and placed in the pension fund and the same shall be used for the purpose of paying said pensions and the amount so advanced shall be repaid out of the pension fund to the general revenue fund by the State Treasurer when there shall be a surplus in the pension fund over and above enough to pay said fifty dollars and twenty-five dollars per month to said classes of pensioners. There is hereby appropriated out of the State Treasury a sufficient amount of money out of the general revenues of the State

other than the revenues derived from property taxes, the sum of Dollars for the purpose of said advancement to the pension fund.

(b) In the event it should be held by a court of competent and final jurisdiction that the provision in sub-division (a) of this Article providing for the advancement, use and repayment of certain revenues out of the general revenues of the State to the pension fund is unconstitutional, then, in that event, said sub-division (a) of this Article shall not be effective and in such event, on the first day of September and on the first day of March of each year, the Comptroller shall pro-rate the pension fund equally among all pensioners whose claims to pension have been established and filed, including pensioners who are married, unmarried, widowers or widows; and the Comptroller shall issue his warrants for the amounts due said pensioners in the manner provided by law on the first day of each month. All such pensions shall begin on the first day of the month following which application is approved.

LOVE.

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Love the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 27 was put on its third reading and final passage by the following vote:

Yeas—25.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
Miller.	Woodward.
Moore.	

Absent.

McFarlane.

Absent—Excused.

Cousins.	Russek.
Holbrook.	Wirtz.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Witt.
Martin.	Woodul.
Miller.	Woodward.
Moore.	

Absent.

McFarlane.

Absent—Excused.

Cousins.	Russek.
Holbrook.	Wirtz.
Pollard.	

Message From the Governor.

Executive Office,

Austin, Texas, March 8, 1930.

To The Texas Senate:

Subject to your confirmation, Honorable Allen B. Hanney, of Harris County, is appointed as Judge of the One Hundred Thirteenth Judicial District, being in and for Harris County, Texas.

Respectfully submitted,

DAN MOODY, Governor.

Read and referred to Committee on Governor's Nominations.

Reason for Vote.

I voted for Senate Bill No. 28 requiring the insurance of school-houses because I thought that it would be much better than the promiscuous practice that we now indulge in of appropriating money out of the general fund to cover these losses. We spend much more money in this manner than the expense that will be incurred in carrying out the provisions of this bill and further only a favored few get these appropriations while under this bill everybody will be protected.

Personally I believe that the machines set up could have been simplified and carried out at less expense also that it could have been done by local agencies and which I really be-

lieve would have been fairer than the present bill.

DeBERRY.

Senate Bill No. 23.

The Chair laid before the Senate on its second reading the following bill:

By Senator Berkeley:

S. B. No. 23, A bill to be entitled "An Act authorizing the sale of certain lands owned by the State of Texas located near El Paso, and known as the abandoned site of the State School of Mines and Metallurgy; providing regulations in reference thereto; authorizing the use of the proceeds of said sale for a recreation hall and/or auditorium for said school of Mines and Metallurgy; repealing Chapter 153 of the General Laws of the Regular Session of the Thirty-ninth Legislature, and all provisions of law in conflict herewith; and declaring an emergency."

Read second time.

House Bill No. 29.

The Chair substituted for this bill the following House bill:

By Mr. Pool, Mr. McGill and Mr. Harrison:

H. B. No. 29, A bill to be entitled "An Act authorizing the sale of certain lands owned by the State of Texas located near El Paso and known as the abandoned site of the State School of Mines and Metallurgy; providing regulations in reference thereto, and declaring an emergency."

The committee report was adopted

The bill was read second time and passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 29 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Martin.
Berkeley.	Miller.
Cunningham.	Moore.
DeBerry.	Neal.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Hornsby.	Small.
Love.	Stevenson.

Thomason.	Witt.
Westbrook.	Woodul.
Williamson.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Senate Bill No. 23 Postponed

On motion of Senator Berkeley, S. B. No. 23 was indefinitely postponed.

Senate Bill No. 24.

The Chair laid before the Senate on its second reading the following bill:

By Senator Berkeley:

S. B. No. 24, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the re-purchase of public school land located in Jeff Davis County, Texas, forfeited and reappraised under Chapter 94, An Act approved March 19, 1925, and as amended by Chapter 25, an Act approved October 27, 1926, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by

law for the filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon."

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 24 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Senate Bill No. 60.

The Chair laid before the Senate on its second reading the following bill:

By Senator Greer:

S. B. No. 60, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the re-purchase of public school land located in El Paso County, Texas, forfeited and reappraised under Chapter 94, an Act approved March 19, 1925, and as amended by Chapter 25, an Act approved October 27, 1926, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 29.

The Chair laid before the Senate on its second reading the following bill:

By Senator Berkeley:

S. B. No. 29, A bill to be entitled "An Act amending Article 6711 of the Revised Civil Statutes of 1925 so as to better provide for neighborhood roads; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 29 was put on its third reading and final passage by the following vote:

Yeas—21.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Miller.	Witt.
Moore.	

Nays—2.

Woodul. Woodward.

Present—Not Voting.

Martin.

Absent.

McFarlane.

Absent—Excused.

Cousins. Pollard.
Holbrook. Russek.
Hyer. Wirtz.

Read third time and finally passed by the following vote:

Yeas—18.

Beck. Parr.
Berkeley. Parrish.
Cunningham. Patton.
Greer. Small.
Hornsby. Stevenson.
Love. Thomason.
Miller. Westbrook.
Moore. Williamson.
Neal. Witt.

Nays—2.

DeBerry. Woodward.

Present—Not Voting.

Martin. Woodul.

Absent.

Gainer. McFarlane.
Hardin.

Absent—Excused.

Cousins. Pollard.
Holbrook. Russek.
Hyer. Wirtz.

House Bills Referred.

H. B. No. 19, referred to Committee on State Affairs.

H. B. No. 12, referred to Committee on State Affairs.

Senate Concurrent Resolution No. 7.

Senator Witt sent up the following resolution:

Whereas, The final touches are now being completed in the construction of the great dam a few miles from the city of Waco, and the flow of the Bosque River is being stopped and what is to be known as "Lake Waco," is being filled with water, which lake when filled will impound

millions of gallons of water and provide for future generations not only an adequate water supply, but a pleasure lake covering hundreds of acres in a setting of hills as beautiful as Texas affords; all this at an expense of millions of dollars; therefore be it

Resolved by the Senate, the House of Representatives concurring, That the progressive and patriotic citizenship of Waco, and its vicinity be congratulated on the successful completion of this great enterprise, and that a copy of this resolution be forwarded by the Secretary of the Senate to the Board of Water Commissioners of Waco.

WITT.

Read and adopted.

Senate Bill No. 21.

Senator Williamson called up from the table the following bill:

S. B. No. 21, A bill to be entitled "An Act to amend Article 5139 of Title 82 of the Revised Civil Statutes of Texas of 1925, relating to Juvenile boards in certain counties and salaries of district and criminal district judges in such counties, and declaring an emergency."

The pending amendment was tabled, on motion of Senator Williamson.

On motion of Senator Williamson, the vote by which the amendment by Senator Wirtz was adopted was reconsidered. The amendment was lost.

The bill passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 21 was put on its third reading and final passage by the following vote:

Yeas—22.

Beck. Neal.
Berkeley. Parr.
Cunningham. Parrish.
DeBerry. Patton.
Gainer. Small.
Greer. Stevenson.
Hardin. Thomason.
Hornsby. Westbrook.
Love. Williamson.
Martin. Witt.
Moore. Woodul.

Nays—2.

Miller. Woodward.
Absent.

McFarlane.

Absent—Excused.

Cousins. Pollard.
Holbrook. Russek.
Hyer. Wirtz.

Read third time and finally passed
by the following vote:

Yeas—17.

Beck. Patton.
Cunningham. Small.
Gainer. Stevenson.
Hardin. Thomason.
Hornsby. Westbrook.
Martin. Williamson.
Neal. Witt.
Parr. Woodul.
Parrish.

Nays—5.

Berkeley. Miller.
Greer. Moore.
Love.

Absent.

McFarlane.

Absent—Excused.

Cousins. Pollard.
Holbrook. Russek.

(Pairs Recorded.)

Senator DeBerry (present) who
would vote nay, with Senator Hyer
(absent) who would vote yea.

Senator Woodward (present) who
would vote nay, with Senator Wirtz
(absent) who would vote yea.

Senate Bill No. 30.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Neal:

S. B. No. 30, A bill to be entitled
"An Act providing for the appoint-
ment or election and term of office
of school trustees in all independent
districts having fewer than 75,000
population by the Federal Census of
1920 and for all consolidated and
rural high school districts; adjust-
ing the term of office of trustees

now in office; providing for filling
of all vacancies; providing for the
date of first election under this Act;
repealing all laws both general and
special in conflict herewith, and de-
claring an emergency."

The committee report was adopted.

The bill was read second time and
passed to engrossment.

On motion of Senator Greer the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 30 was put
on its third reading and final pas-
sage by the following vote:

Yeas—24.

Beck. Neal.
Berkeley. Parr.
Cunningham. Parrish.
DeBerry. Patton.
Gainer. Small.
Greer. Stevenson.
Hardin. Thomason.
Hornsby. Westbrook.
Love. Williamson.
Martin. Witt.
Miller. Woodul.
Moore. Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins. Pollard.
Holbrook. Russek.
Hyer. Wirtz.

Read third time and finally passed
by the following vote:

Yeas—24.

Beck. Neal.
Berkeley. Parr.
Cunningham. Parrish.
DeBerry. Patton.
Gainer. Small.
Greer. Stevenson.
Hardin. Thomason.
Hornsby. Westbrook.
Love. Williamson.
Martin. Witt.
Miller. Woodul.
Moore. Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins. Pollard.
Holbrook. Russek.
Hyer. Wirtz.

Recess.

On motion of Senator Cunningham the Senate, at 12:10 o'clock, recessed until 1:30 o'clock p. m.

After Recess.

The Senate met at 1:30 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Senate Bill No. 29.

On motion of Senator Berkeley the vote by which S. B. No. 29 was finally passed was reconsidered.

Senator Berkeley sent up the following amendment:

Amend S. B. No. 29 by adding after the word "Route" in Section 1, a comma, and the following words, to-wit: "in order to avoid hills, mountains or streams."

BERKELEY.

Read and adopted unanimously.

The bill as amended finally passed by the following vote:

Yeas—25.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Senate Bill No. 39.

The Chair laid before the Senate on its second reading the following bill:

By Senator Berkeley:

S. B. No. 39, A bill to be entitled "An Act providing for procuring and filing in the General Land Office certain papers, maps, sketches and reports relating to the survey of lands by virtue of certificates issued by

the State to the Texas & Pacific Railway Company and its predecessors in title, now in the custody of said railway company, the same to become archives of the General Land Office; providing for the authentication of said papers, maps, sketches and reports and making same admissible in evidence as other archives in said office; enacting other regulations and provisions in connection with said subject matter; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 39 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Senate Bill No. 19.

The Chair laid before the Senate on its second reading the following bill:

By Senator Small:

S. B. No. 19, A bill to be entitled "An Act to authorize the county board of trustees of any county in this State to incorporate a common school district into an independent school district for school purposes only upon petition of a majority of the legally qualified property tax paying voters residing in the territory affected; providing for the appointment and election of trustees for such incorporated districts; validating all school districts, including independent school districts heretofore incorporated under the provisions of Section 5, Chapter 84, General Laws, First Called Session, Fortieth Legislature, 1927, and all other school districts; also the acts of the county boards of trustees and the acts of the boards of trustees in such school districts, and all bonds issued by such districts, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 19, was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Senate Bill No. 65.

The Chair laid before the Senate the following bill:

By Senator Small:

S. B. No. 65, A bill to be entitled "An Act to amend Section 2a and 2b of Chapter 28, of the Local and Special Laws enacted by the Twenty-third Legislature at its Regular Session in 1913, same being Special Road Law for Childress County, which sections 2a and 2b were added by Chapter 279 of the General and Special Laws of the Forty-first Legislature at its Regular Session in 1929; authorizing the commissioners' court of Childress County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment therefor, providing limitations upon the issuance of warrants for road and bridge purposes and exceptions therefrom; repealing House Bill No. 68, passed at the Fourth Called Session of the Forty-first Legislature; and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by unanimous consent.

The committee report was adopted.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 65 was put on its second reading by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

The bill was read second time and passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 65, was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

McFarlane.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Senate Bill No. 35

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 35, A bill to be entitled "An Act to amend Article 2781, R. S. 1925, relating to term of contract of superintendents, principals, teachers, or other executive officers in independent school districts, repealing all laws in conflict herewith and declaring an emergency."

Read second time.

House Bill No. 57.

The Chair substituted for this bill the following bill:

By Mr. Holder:

H. B. No. 57, A bill to be entitled "An Act to amend Article 2781, Revised Statutes, 1925, relating to term of contract of superintendents, principals, teachers, or other executive officers in independent school districts, repealing all laws in conflict herewith and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Woodul, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 57, was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.
McFarlane.	

Read third time and finally passed by the following vote:

Yeas—23.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Small.
Gainer.	Thomason.
Greer.	Westbrook.
Hornsby.	Williamson.
Love.	Witt.
Moore.	Woodul.
Neal.	Woodward.
Parr.	

Nays—1.

DeBerry.	Hardin.
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Absent.

Martin.	Stevenson.
Miller.	

Absent—Excused

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.
McFarlane.	

Senate Bill No. 35.

On motion of Senator Woodul, S. B. No. 35, was indefinitely postponed.

Senate Bill No. 38.

The Chair laid before the Senate on its second reading the following bill:

By Senator Love:

S. B. No. 38, A bill to be entitled "An Act amending Article 2791, Title 49, R. C. S. of Texas, 1925, pro-

viding for tax assessors and collectors of independent school districts, fixing their powers and bond, prescribing the duties thereof, and fixing the fees of said assessors and collectors so that the bond required of such tax assessors and collectors of independent school districts shall be in a sum equivalent to forty per cent of the whole amount of the school district taxes for the district as shown by the last preceding assessment, provided said bond shall in no event exceed fifty thousand dollars; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Love the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 38, was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

Cousins.	McFarlane.
DeBerry.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.
McFarlane.	

Senate Bill No. 32.

The Chair laid before the Senate on its second reading the following bill:

By Senators Beck, Witt, Neal, Thomason and McFarlane:

S. B. No. 32, A bill to be entitled "An Act providing for workmen's compensation for employees of the State Highway Department, and declaring an emergency."

Read second time.

Senator Beck sent up the following amendment:

Amend Senate Bill No. 32 by striking out Section 3 and renumbering other Sections to conform.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 32, was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patten.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.
McFarlane.	

Read third time and finally passed by the following vote:

Yeas—23.

Beck.	Hornsby.
Berkeley.	Love.
Cunningham.	Martin.
Gainer.	Miller.
Greer.	Moore.
Hardin.	Neal.

Parr.	Westbrook.
Parrish.	Williamson.
Patton.	Witt.
Small.	Woodul.
Stevenson.	Woodward.
Thomason	

Present—Not Voting.

DeBerry.

Absent—Excused.

Cousins.	Pollard.
Holbrook.	Russek.
Hyer.	Wirtz.
McFarlane.	

Senate Bill No. 40.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cousins:

S. B. No. 40, A bill to be entitled "An Act to provide for the sale by the State to H. L. McKee, his heirs and assigns, a certain tract or area of land situated in Jefferson County Texas, same being submerged lands constituting a part of the bed of Sabine Lake, retaining to the State all minerals therein; and declaring an emergency."

Read second time.

On motion of Senator Small, the bill was laid on the table subject to call.

Senate Bill No. 41.

The Chair laid before the Senate on its second reading the following bill:

By Senator Martin, et al.:

S. B. No. 41, A bill to be entitled "An Act legalizing, approving and validating improvement bonds of levee improvement districts created under authority of Section 59, Article 16, Constitution, and levy of taxes in payment thereof, where such bonds have been approved by the Attorney General, registered by the State Comptroller, and thereafter sold and delivered; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Read second time.

On motion of Senator Greer, the bill was laid on the table subject to call.

Senate Bill No. 43.

The Chair laid before the Senate

on its second reading the following bill:

By Senator Parr:

S. B. No. 43, A bill to be entitled "An Act providing for how lands, forming part of an irrigation district, water improvement district, water control and improvement district, or of any conservation or reclamation district, either or both or of any drainage or levee district, which now are or which may subsequently be incorporated, made part of and annexed to an incorporated city, may be taken out and excluded from any such district or districts, so as to thereafter relieve said lands from any other taxes, charges or assessments in such district or districts, except their proportionate part of the bonded indebtedness existing against said district or districts at the time they are incorporated and made part of said incorporated city, and declaring an emergency."

Read second time.

On motion of Senator Parr, the bill was laid on the table subject to call.

Senate Bill No. 53.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parr:

S. B. No. 53, A bill to be entitled "An Act amending Article 916 of the Penal Code of the State of Texas of 1925 relating to wild turkeys so as to further extend the period of time during which it is unlawful to take, kill, wound, shoot at, hunt for, or possess, dead or alive, wild turkeys in certain counties, and declaring an emergency."

The committee report was adopted.

The bill was read second time.

Senator Neal sent up the following amendment:

Amend S. B. No. 53, by adding after the word "Nueces" and before the word "until", "Harrison or Panola."

NEAL.

Read and adopted.

Senator Small sent up the following amendment:

Amend S. B. No. 53, by adding "Polerts, Hutchinson, and Hemp-hill" after the word "Panola."

Read and adopted.

The roll call on engrossment showed no quorum present.

Senator Moore moved to adjourn until Monday morning at 10 o'clock.

The motion was lost.

Senator Moore moved a call of the Senators in Austin for the purpose of obtaining and maintaining a quorum until adjournment. The motion prevailed.

On motion of Senator Woodul, Senator Small was excused on account of important business.

Adjournment.

Senator Greer moved to adjourn until 9:30 o'clock Monday morning.

Senator Williamson moved to adjourn until 9:59 o'clock Monday morning. The motion prevailed, and at 3:25 o'clock the Senate adjourned.

APPENDIX.

Committee on Engrossed Bill's.

Committee Room,

Austin, Texas, March 8, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 56 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 8, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 37 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 8, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Towns and City Corporation, to whom was referred

S. B. No. 62, A bill to be entitled "An Act to amend Title 76 of the Revised Civil Statutes of Texas of 1925, by adding thereto Article 4646a, providing that no injunction

shall be granted to stay or prevent the vacating, abandonment or closing, by the city council or governing body of any incorporated city of this State, of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessee of real property actually abutting on that part of such street or alley actually vacated, abandoned or closed, and then only in the event that the damages of said owner or lessee shall not have been released or shall not have been ascertained and paid in a condemnation suit by such city, provided that any person who, under existing laws, has the right to enjoin a city from vacating, abandoning or closing any street or alley of such city and whose right to such injunction is denied by this Act, shall have the right to an action for damages for any injury that he may sustain by reason of the vacating, abandoning or closing of any street or alley by such city; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal but not otherwise.

BERKELEY, Chairman.

By Woodul.

S. B. No. 62.

A BILL

To Be Entitled

An Act to amend Title 76, of the Revised Civil Statutes of Texas of 1925, by adding thereto Article 4646A, providing that no injunction shall be granted to stay or prevent the vacating, abandonment or closing, by the City Council or governing body of any incorporated city of this State, of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessee of real property actually abutting on that part of such street or alley actually vacated, abandoned or closed, and then only in the event that the damages of said owner or lessee shall not have been released or shall not have been ascertained and paid in a condemnation suit by such city, provided that any person who, under existing laws has the right to enjoin a city from vacating, abandoning

or closing any street or alley of such city and whose right to such injunction is denied by this Act, shall have the right to an action for damages for any injury that he may sustain by reason of the vacating, abandoning or closing of any street or alley by such city, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That title 76, of the Revised Civil Statutes of the State of Texas of 1925, be amended by adding thereto Article 4646a, as follows:

Art. 4646a.—No injunction shall be granted to stay or prevent the vacating, abandonment or closing, by the City Council or governing body of any incorporated city of this State, of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessee of real property actually abutting on that part of such street or alley actually vacated, abandoned or closed, and then only in the event that the damages of said owner or lessee shall not have been released or shall not have been ascertained and paid in a condemnation suit by such city.

Sec. 2. Provided that any person, who under existing laws has the right to enjoin a city from vacating, abandoning or closing any street or alley of such city and whose right to such injunction is denied by this Act, shall have the right to an action for damages for any injury that he may sustain by reason of the vacating, abandoning, or closing of any street or alley by such city.

Sec. 3. The fact that there is much confusion in reference to whether or not the right to enjoin a city from abandoning and closing a street applies only to abutting property owners, and the further fact that the decisions of the Courts of this State have rendered it doubtful as to what are the rights of the city, and the rights of property owners with reference to closing streets, creates an emergency and an imperative public necessity which requires that the Constitutional Rule requiring bills to be read on three several days be, and the same is hereby suspended, and that this Act shall take ef-

fect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 57, A bill to be entitled "An Act to grant and sell to S. E. Damon certain land with reservation to the State of an interest in the minerals therein; providing terms of sale and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 6, A bill to be entitled "An Act providing for State supervision of cotton weighing at cotton gins and other points of concentration and distribution; providing for State cotton weight supervision; providing penalties, fees to cover expense of administration of the Act, making appropriation of monies to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 68, A bill to be entitled "An Act validating and legalizing the authorization of bonds issued by or on behalf of any county, city, district, or political subdivision of this State for the construction of seawalls; validating the levy and assessment of ad valorem taxes in payment thereof; validating the manner of

holding the election, canvassing the returns and declaring the result of such election; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal.

MILLER, Vice-Chairman.

By Cousins, Thomason, S. B. No. 68
Patton, Woodul.

A BILL

To Be Entitled

An Act validating and legalizing the authorization of bonds issued by or on behalf of any county, city, district, or political subdivision of this State for the construction of seawalls; validating the levy and assessment of ad valorem taxes in payment thereof; validating the manner of holding the election, canvassing the returns and declaring the result of such election; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That wherever the commissioners' court of any county, or the governing body of any city, district, or political subdivision of this State has ordered an election for the issuance of seawall bonds, pursuant to Section 7 of Article 11 of the State Constitution, and a two-thirds majority of the qualified property taxpaying voters of such county, city, district, or political subdivision, voting at such election, authorize the issuance of said bonds and the levy of the tax in payment thereof, and the commissioners' court of such county, or the governing body of such city, district, or political subdivision has canvassed the returns of the election held for such purpose, and by order, ordinance or resolution, duly passed and entered of record, has found and declared that such bonds were authorized by a two-thirds majority of the qualified property taxpaying voters, voting at such election, and, thereupon, by proper order, ordinance or resolution, has authorized the issuance of bonds for the construction of such seawalls and levied an ad valorem tax to pay the principal and interest thereof at maturity, and has prescribed the date, maturity, rate of interest such bonds are to bear, the place of payment of principal and

interest, each such election and all acts and proceedings had and taken in connection therewith by such commissioners' court, or the governing body of any city, district, or political subdivision in this State, the levy of taxes and the provision made for the payment of the interest and the sinking fund for the payment of the principal of such bonds, are hereby legalized, approved and validated; and such bonds so authorized are hereby validated and constituted the legal obligations of such county, city, district, or political subdivision, and all acts of such bodies in respect to the issuance of such bonds are hereby legalized and validated, and the commissioners' court, or the governing body of any such city, district, or political subdivision is hereby expressly authorized and directed to provide for the payment of the interest and principal of any such bonds by the levy of taxes and appropriations of revenues in the time and manner prescribed by statute.

Sec. 2. The Legislature hereby specifically exercises the power vested in it by Section 7 of Article W11 of the State Constitution to provide for the authorization upon a two-thirds vote of the taxpayers in counties and cities bordering on the coast of the Gulf of Mexico, and hereby finds that the manner in which any such county, city, district, or political subdivision has ascertained that a two-thirds vote of such taxpayers was had, is legal and valid. The Legislature specifically finds that where two-thirds of the taxpayers voting at such elections voted for the levy and collection of such taxes and the issuance of bonds, said taxes and bonds have been validly and legally authorized.

Sec. 3. The public importance of the purposes herein contemplated creates an emergency and an imperative public necessity requiring the suspension of the Constitutional rule requiring bills to be read upon three several days in each House, and the said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 67, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 65, A bill to be entitled "An Act to amend Section 2a and 2b of Chapter 28 of the Local and Special laws enacted by the 23rd Legislature at its Regular Session in 1913, same being Special Road Law for Childress County."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 8, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred

S. B. No. 69, A bill to be entitled "An Act to amend Section 40 of Chapter 61 of the General Laws passed by the 41st Legislature at its Second Called Session which convened June 3rd, 1929, so as to give borrowers full credit for all payments and to preserve the contract time for payment and to add a new section to be known as Section 47a, authorizing the Banking Commissioner of Texas to regulate withdrawals, and fixing venue in Travis County in certain suits, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be printed in the Journal.

MOORE, Chairman.

By Witt.

S. B. No. 69.

A BILL

To Be Entitled

An Act to amend Section 40 of Chapter 61 of the General Laws passed by the 41st Legislature at its Second Called Session which convened June 3d, 1929, so as to give borrowers full credit for all payments and to preserve the contract time for repayment and to add a new section to be known as Section 47a; authorizing the Banking Commissioner of Texas to regulate withdrawals, and fixing venue in Travis County, in certain suits and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 40 of Chapter 61 of the General Laws passed by the 41st Legislature at its Second Called Session which convened June 3d, 1929, be changed and amended to read as follows:

"Section 40. Repayment of Loans. Any loan made by a building and loan association may be repaid at any time after three months have elapsed from the time of making such loan, provided the borrower shall pay the principal due thereon (less the withdrawal value of the shares transferred as security therefor), loan expenses, the premium due and the interest accrued at the time of such repayment, and all sums advanced by the association for taxes, assessments or insurance premiums, with interest thereon; and in addition thereto interest on the principal repaid for the period of three months after the date of repayment. Any borrower desiring to retain the shares may repay his loan without claiming credit for the withdrawal value of such shares, whereupon such shares shall be retransferred to the borrower and shall be free from any claim by reason of said loan. If any such association is in process of either voluntary or involuntary liquidation, the payments made by such borrower plus credited dividends, less any lawful fees, fines, penalties or advances owing by such member, shall be ap-

plied on the indebtedness owing by such borrower, who shall have the same time for payment at the same rate of interest as would have been required if said association were not in liquidation."

Sec. 2. That there be added to Chapter 61 of the General Laws passed by the 41st Legislature at its Second Called Session which convened June 3d, 1929, a new section to be known as Section 47a, and which shall read and provide as follows:

"Section 47a. Should the Banking Commissioner of Texas determine it to be to the interest of any solvent building and loan association, its members, investors and borrowers, such Commissioner may from time to time direct the Board of Directors of any such solvent building and loan association to postpone withdrawal payments, for such period as may be deemed necessary; and may from time to time require such Board of Directors by resolution to provide that applications for withdrawals shall not be filed or received before the date fixed and stated in the order of the Commissioner."

Sec. 3. Any suit, injunction, or other proceedings brought by the State at the instance of the Banking Commissioner of Texas against any building and loan association, or against any creditor, officer, or shareholder thereof, and all suits brought by any such against said Commissioner, must be filed and heard only in Travis County.

Sec. 4. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 5. The inadequacy of the present law in relation to the subject matter of this Act, and the public importance of this Act, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days before final passage, be suspended and such rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.